



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1015

Introduced 02/03/05, by Rep. Mike Boland

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-15	from Ch. 46, par. 7-15
10 ILCS 5/12-1	from Ch. 46, par. 12-1
10 ILCS 5/17-9	from Ch. 46, par. 17-9
10 ILCS 5/18-5	from Ch. 46, par. 18-5
10 ILCS 5/Art. 19A heading new	
10 ILCS 5/19A-5 new	
10 ILCS 5/19A-10 new	
10 ILCS 5/19A-15 new	
10 ILCS 5/19A-20 new	
10 ILCS 5/19A-25 new	
10 ILCS 5/19A-25.5 new	
10 ILCS 5/19A-30 new	
10 ILCS 5/19A-35 new	
10 ILCS 5/19A-40 new	
10 ILCS 5/19A-45 new	
10 ILCS 5/19A-50 new	
10 ILCS 5/19A-55 new	
10 ILCS 5/19A-60 new	
10 ILCS 5/19A-65 new	
10 ILCS 5/19A-70 new	
10 ILCS 5/24A-10	from Ch. 46, par. 24A-10
10 ILCS 5/24A-15.1	from Ch. 46, par. 24A-15.1
10 ILCS 5/24B-10	
10 ILCS 5/24B-15.1	
30 ILCS 805/8.29 new	

Amends the Election Code. Allows registered voters to vote by personal appearance during an early voting period. Provides that the early voting period begins on the third Saturday preceding a general primary, consolidated primary, consolidated, or general election and ends on the Friday before the election. Provides for permanent and temporary polling places for early voting. Provides that the election authority must publish a schedule of locations and times for early voting. Sets procedures for the issuance, return, and casting of early ballots. Prohibits advertising or campaigning within 100 feet of a polling place for early voting. Amends the State Mandates Act to require implementation without reimbursement.

LRB094 08336 JAM 38529 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 7-15, 12-1, 17-9, 18-5, 24A-10, 24A-15.1, 24B-10, and
6 24B-15.1 and by adding Article 19A as follows:

7 (10 ILCS 5/7-15) (from Ch. 46, par. 7-15)

8 Sec. 7-15. At least 60 days prior to each general and
9 consolidated primary, the election authority shall provide
10 public notice, calculated to reach elderly and handicapped
11 voters, of the availability of registration and voting aids
12 under the Federal Voting Accessibility for the Elderly and
13 Handicapped Act, of the availability of assistance in marking
14 the ballot, ~~and~~ procedures for voting by absentee ballot, and
15 procedures for early voting by personal appearance. At least 20
16 days before the general primary the county clerk of each
17 county, and not more than 30 nor less than 10 days before the
18 consolidated primary the election authority, shall prepare in
19 the manner provided in this Act, a notice of such primary which
20 notice shall state the time and place of holding the primary,
21 the hours during which the polls will be open, the offices for
22 which candidates will be nominated at such primary and the
23 political parties entitled to participate therein,
24 notwithstanding that no candidate of any such political party
25 may be entitled to have his name printed on the primary ballot.
26 Such notice shall also include the list of addresses of
27 precinct polling places for the consolidated primary unless
28 such list is separately published by the election authority not
29 less than 10 days before the consolidated primary.

30 In counties, municipalities, or towns having fewer than
31 500,000 inhabitants notice of the general primary shall be
32 published once in two or more newspapers published in the

1 county, municipality or town, as the case may be, or if there
2 is no such newspaper, then in any two or more newspapers
3 published in the county and having a general circulation
4 throughout the community.

5 In counties, municipalities, or towns having 500,000 or
6 more inhabitants notice of the general primary shall be
7 published at least 15 days prior to the primary by the same
8 authorities and in the same manner as notice of election for
9 general elections are required to be published in counties,
10 municipalities or towns of 500,000 or more inhabitants under
11 this Act.

12 Notice of the consolidated primary shall be published once
13 in one or more newspapers published in each political
14 subdivision having such primary, and if there is no such
15 newspaper, then published once in a local, community newspaper
16 having general circulation in the subdivision, and also once in
17 a newspaper published in the county wherein the political
18 subdivisions, or portions thereof, having such primary are
19 situated.

20 (Source: P.A. 84-808.)

21 (10 ILCS 5/12-1) (from Ch. 46, par. 12-1)

22 Sec. 12-1. At least 60 days prior to each general and
23 consolidated election, the election authority shall provide
24 public notice, calculated to reach elderly and handicapped
25 voters, of the availability of registration and voting aids
26 under the Federal Voting Accessibility for the Elderly and
27 Handicapped Act, of the availability of assistance in marking
28 the ballot, ~~and~~ procedures for voting by absentee ballot, and
29 procedures for voting early by personal appearance.

30 At least 30 days before any general election, and at least
31 20 days before any special congressional election, the county
32 clerk shall publish a notice of the election in 2 or more
33 newspapers published in the county, city, village,
34 incorporated town or town, as the case may be, or if there is
35 no such newspaper, then in any 2 or more newspapers published

1 in the county and having a general circulation throughout the
2 community. The notice may be substantially as follows:

3 Notice is hereby given that on (give date), at (give the
4 place of holding the election and the name of the precinct or
5 district) in the county of (name county), an election will be
6 held for (give the title of the several offices to be filled),
7 which election will be open at 6:00 a.m. and continued open
8 until 7:00 p.m. of that day.

9 Dated at on (insert date).

10 (Source: P.A. 90-358, eff. 1-1-98; 91-357, eff. 7-29-99.)

11 (10 ILCS 5/17-9) (from Ch. 46, par. 17-9)

12 Sec. 17-9. Any person desiring to vote shall give his name
13 and, if required to do so, his residence to the judges of
14 election, one of whom shall thereupon announce the same in a
15 loud and distinct tone of voice, clear, and audible; the judges
16 of elections shall check each application for ballot against
17 the list of voters registered in that precinct to whom absentee
18 or early ballots have been issued for that election, which
19 shall be provided by the election authority and which list
20 shall be available for inspection by pollwatchers. A voter
21 applying to vote in the precinct on election day whose name
22 appears on the list as having been issued an absentee or early
23 ballot shall not be permitted to vote in the precinct unless
24 that voter submits to the judges of election, for cancellation
25 or revocation, his absentee or early ballot. In the case that
26 the voter's absentee or early ballot is not present in the
27 polling place, it shall be sufficient for any such voter to
28 submit to the judges of election in lieu of his absentee or
29 early ballot, either a portion of such ballot if torn or
30 mutilated, an affidavit executed before the judges of election
31 specifying that the voter never received an absentee or early
32 ballot, or an affidavit executed before the judges of election
33 specifying that the voter desires to cancel or revoke any
34 absentee or early ballot that may have been cast in the voter's
35 name. All applicable provisions of Articles 4, 5 or 6 shall be

1 complied with and if such name is found on the register of
2 voters by the officer having charge thereof, he shall likewise
3 repeat said name, and the voter shall be allowed to enter
4 within the proximity of the voting booths, as above provided.
5 One of the judges shall give the voter one, and only one of
6 each ballot to be voted at the election, on the back of which
7 ballots such judge shall indorse his initials in such manner
8 that they may be seen when each such ballot is properly folded,
9 and the voter's name shall be immediately checked on the
10 register list. In those election jurisdictions where
11 perforated ballot cards are utilized of the type on which
12 write-in votes can be cast above the perforation, the election
13 authority shall provide a space both above and below the
14 perforation for the judge's initials, and the judge shall
15 endorse his or her initials in both spaces. Whenever a proposal
16 for a constitutional amendment or for the calling of a
17 constitutional convention is to be voted upon at the election,
18 the separate blue ballot or ballots pertaining thereto shall,
19 when being handed to the voter, be placed on top of the other
20 ballots to be voted at the election in such manner that the
21 legend appearing on the back thereof, as prescribed in Section
22 16-6 of this Act, shall be plainly visible to the voter. At all
23 elections, when a registry may be required, if the name of any
24 person so desiring to vote at such election is not found on the
25 register of voters, he or she shall not receive a ballot until
26 he or she shall have complied with the law prescribing the
27 manner and conditions of voting by unregistered voters. If any
28 person desiring to vote at any election shall be challenged, he
29 or she shall not receive a ballot until he or she shall have
30 established his right to vote in the manner provided
31 hereinafter; and if he or she shall be challenged after he has
32 received his ballot, he shall not be permitted to vote until he
33 or she has fully complied with such requirements of the law
34 upon being challenged. Besides the election officer, not more
35 than 2 voters in excess of the whole number of voting booths
36 provided shall be allowed within the proximity of the voting

1 booths at one time. The provisions of this Act, so far as they
 2 require the registration of voters as a condition to their
 3 being allowed to vote shall not apply to persons otherwise
 4 entitled to vote, who are, at the time of the election, or at
 5 any time within 60 days prior to such election have been
 6 engaged in the military or naval service of the United States,
 7 and who appear personally at the polling place on election day
 8 and produce to the judges of election satisfactory evidence
 9 thereof, but such persons, if otherwise qualified to vote,
 10 shall be permitted to vote at such election without previous
 11 registration.

12 All such persons shall also make an affidavit which shall
 13 be in substantially the following form:

14 State of Illinois,)

15) ss.

16 County of)

17 Precinct Ward

18 I,, do solemnly swear (or affirm) that I am a citizen
 19 of the United States, of the age of 18 years or over, and that
 20 within the past 60 days prior to the date of this election at
 21 which I am applying to vote, I have been engaged in the
 22 (military or naval) service of the United States; and I am
 23 qualified to vote under and by virtue of the Constitution and
 24 laws of the State of Illinois, and that I am a legally
 25 qualified voter of this precinct and ward except that I have,
 26 because of such service, been unable to register as a voter;
 27 that I now reside at (insert street and number, if any) in
 28 this precinct and ward; that I have maintained a legal
 29 residence in this precinct and ward for 30 days and in this
 30 State 30 days next preceding this election.

31

32 Subscribed and sworn to before me on (insert date).

33

34 Judge of Election.

35 The affidavit of any such person shall be supported by the

1 affidavit of a resident and qualified voter of any such
2 precinct and ward, which affidavit shall be in substantially
3 the following form:

4 State of Illinois,)

5) ss.

6 County of)

7 Precinct Ward

8 I,, do solemnly swear (or affirm), that I am a
9 resident of this precinct and ward and entitled to vote at this
10 election; that I am acquainted with (name of the
11 applicant); that I verily believe him to be an actual bona fide
12 resident of this precinct and ward and that I verily believe
13 that he or she has maintained a legal residence therein 30 days
14 and in this State 30 days next preceding this election.

15

16 Subscribed and sworn to before me on (insert date).

17

18 Judge of Election.

19 All affidavits made under the provisions of this Section
20 shall be enclosed in a separate envelope securely sealed, and
21 shall be transmitted with the returns of the elections to the
22 county clerk or to the board of election commissioners, who
23 shall preserve the said affidavits for the period of 6 months,
24 during which period such affidavits shall be deemed public
25 records and shall be freely open to examination as such.

26 (Source: P.A. 91-357, eff. 7-29-99.)

27 (10 ILCS 5/18-5) (from Ch. 46, par. 18-5)

28 Sec. 18-5. Any person desiring to vote and whose name is
29 found upon the register of voters by the person having charge
30 thereof, shall then be questioned by one of the judges as to
31 his nativity, his term of residence at present address,
32 precinct, State and United States, his age, whether naturalized
33 and if so the date of naturalization papers and court from
34 which secured, and he shall be asked to state his residence

1 when last previously registered and the date of the election
2 for which he then registered. The judges of elections shall
3 check each application for ballot against the list of voters
4 registered in that precinct to whom absentee and early ballots
5 have been issued for that election, which shall be provided by
6 the election authority and which list shall be available for
7 inspection by pollwatchers. A voter applying to vote in the
8 precinct on election day whose name appears on the list as
9 having been issued an absentee or early ballot shall not be
10 permitted to vote in the precinct unless that voter submits to
11 the judges of election, for cancellation or revocation, his
12 absentee or early ballot. In the case that the voter's absentee
13 or early ballot is not present in the polling place, it shall
14 be sufficient for any such voter to submit to the judges of
15 election in lieu of his absentee or early ballot, either a
16 portion of such ballot if torn or mutilated, an affidavit
17 executed before the judges of election specifying that the
18 voter never received an absentee or early ballot, or an
19 affidavit executed before the judges of election specifying
20 that the voter desires to cancel or revoke any absentee or
21 early ballot that may have been cast in the voter's name. If
22 such person so registered shall be challenged as disqualified,
23 the party challenging shall assign his reasons therefor, and
24 thereupon one of the judges shall administer to him an oath to
25 answer questions, and if he shall take the oath he shall then
26 be questioned by the judge or judges touching such cause of
27 challenge, and touching any other cause of disqualification.
28 And he may also be questioned by the person challenging him in
29 regard to his qualifications and identity. But if a majority of
30 the judges are of the opinion that he is the person so
31 registered and a qualified voter, his vote shall then be
32 received accordingly. But if his vote be rejected by such
33 judges, such person may afterward produce and deliver an
34 affidavit to such judges, subscribed and sworn to by him before
35 one of the judges, in which it shall be stated how long he has
36 resided in such precinct, and state; that he is a citizen of

1 the United States, and is a duly qualified voter in such
2 precinct, and that he is the identical person so registered. In
3 addition to such an affidavit, the person so challenged shall
4 provide to the judges of election proof of residence by
5 producing 2 forms of identification showing the person's
6 current residence address, provided that such identification
7 to the person at his current residence address and postmarked
8 not earlier than 30 days prior to the date of the election, or
9 the person shall procure a witness personally known to the
10 judges of election, and resident in the precinct (or district),
11 or who shall be proved by some legal voter of such precinct or
12 district, known to the judges to be such, who shall take the
13 oath following, viz:

14 I do solemnly swear (or affirm) that I am a resident of
15 this election precinct (or district), and entitled to vote at
16 this election, and that I have been a resident of this State
17 for 30 days last past, and am well acquainted with the person
18 whose vote is now offered; that he is an actual and bona fide
19 resident of this election precinct (or district), and has
20 resided herein 30 days, and as I verily believe, in this State,
21 30 days next preceding this election.

22 The oath in each case may be administered by one of the
23 judges of election, or by any officer, resident in the precinct
24 or district, authorized by law to administer oaths. Also
25 supported by an affidavit by a registered voter residing in
26 such precinct, stating his own residence, and that he knows
27 such person; and that he does reside at the place mentioned and
28 has resided in such precinct and state for the length of time
29 as stated by such person, which shall be subscribed and sworn
30 to in the same way. Whereupon the vote of such person shall be
31 received, and entered as other votes. But such judges, having
32 charge of such registers, shall state in their respective books
33 the facts in such case, and the affidavits, so delivered to the
34 judges, shall be preserved and returned to the office of the
35 commissioners of election. Blank affidavits of the character
36 aforesaid shall be sent out to the judges of all the precincts,

1 and the judges of election shall furnish the same on demand and
2 administer the oaths without criticism. Such oaths, if
3 administered by any other officer than such judge of election,
4 shall not be received. Whenever a proposal for a constitutional
5 amendment or for the calling of a constitutional convention is
6 to be voted upon at the election, the separate blue ballot or
7 ballots pertaining thereto shall be placed on top of the other
8 ballots to be voted at the election in such manner that the
9 legend appearing on the back thereof, as prescribed in Section
10 16-6 of this Act, shall be plainly visible to the voter, and in
11 this fashion the ballots shall be handed to the voter by the
12 judge.

13 The voter shall, upon quitting the voting booth, deliver to
14 one of the judges of election all of the ballots, properly
15 folded, which he received. The judge of election to whom the
16 voter delivers his ballots shall not accept the same unless all
17 of the ballots given to the voter are returned by him. If a
18 voter delivers less than all of the ballots given to him, the
19 judge to whom the same are offered shall advise him in a voice
20 clearly audible to the other judges of election that the voter
21 must return the remainder of the ballots. The statement of the
22 judge to the voter shall clearly express the fact that the
23 voter is not required to vote such remaining ballots but that
24 whether or not he votes them he must fold and deliver them to
25 the judge. In making such statement the judge of election shall
26 not indicate by word, gesture or intonation of voice that the
27 unreturned ballots shall be voted in any particular manner. No
28 new voter shall be permitted to enter the voting booth of a
29 voter who has failed to deliver the total number of ballots
30 received by him until such voter has returned to the voting
31 booth pursuant to the judge's request and again quit the booth
32 with all of the ballots required to be returned by him. Upon
33 receipt of all such ballots the judges of election shall enter
34 the name of the voter, and his number, as above provided in
35 this section, and the judge to whom the ballots are delivered
36 shall immediately put the ballots into the ballot box. If any

1 voter who has failed to deliver all the ballots received by him
2 refuses to return to the voting booth after being advised by
3 the judge of election as herein provided, the judge shall
4 inform the other judges of such refusal, and thereupon the
5 ballot or ballots returned to the judge shall be deposited in
6 the ballot box, the voter shall be permitted to depart from the
7 polling place, and a new voter shall be permitted to enter the
8 voting booth.

9 The judge of election who receives the ballot or ballots
10 from the voter shall announce the residence and name of such
11 voter in a loud voice. The judge shall put the ballot or
12 ballots received from the voter into the ballot box in the
13 presence of the voter and the judges of election, and in plain
14 view of the public. The judges having charge of such registers
15 shall then, in a column prepared thereon, in the same line of,
16 the name of the voter, mark "Voted" or the letter "V".

17 No judge of election shall accept from any voter less than
18 the full number of ballots received by such voter without first
19 advising the voter in the manner above provided of the
20 necessity of returning all of the ballots, nor shall any such
21 judge advise such voter in a manner contrary to that which is
22 herein permitted, or in any other manner violate the provisions
23 of this section; provided, that the acceptance by a judge of
24 election of less than the full number of ballots delivered to a
25 voter who refuses to return to the voting booth after being
26 properly advised by such judge shall not be a violation of this
27 Section.

28 (Source: P.A. 89-653, eff. 8-14-96.)

29 (10 ILCS 5/Art. 19A heading new)

30 ARTICLE 19A.

31 EARLY VOTING BY PERSONAL APPEARANCE

32 (10 ILCS 5/19A-5 new)

33 Sec. 19A-5. Issuance of ballots; voting booth.

34 (a) If a request is made to vote early by a registered

1 voter in person, the election authority shall issue a ballot
2 for early voting to the voter. The ballot must be voted on the
3 premises of the election authority and returned to the election
4 authority.

5 (b) On the dates for early voting prescribed in Section
6 19A-15, each election authority shall provide a voting booth,
7 with suitable equipment for voting, on the premises of the
8 election authority for use by registered voters who are issued
9 ballots for early voting in accordance with this Section.

10 (c) The election authority must maintain a list for each
11 election of the voters to whom it has issued early ballots. The
12 list must be maintained for each precinct within the election
13 authority's jurisdiction. Before the opening of the polls on
14 election day, the election authority shall deliver to the
15 judges of election in each precinct the list of registered
16 voters to whom early ballots have been issued.

17 (10 ILCS 5/19A-10 new)

18 Sec. 19A-10. Permanent polling places for early voting.

19 (a) An election authority may establish permanent polling
20 places for early voting by personal appearance at locations
21 throughout the election authority's jurisdiction. Except as
22 otherwise provided in subsection (b), any person entitled to
23 vote early by personal appearance may do so at any polling
24 place for early voting.

25 (b) If it is impractical for the election authority to
26 provide at each polling place for early voting a ballot in
27 every form required in the election authority's jurisdiction,
28 the election authority may:

29 (1) provide appropriate forms of ballots to the office
30 of the municipal clerk in a municipality not having a board
31 of election commissioners; the township clerk; or in
32 counties not under township organization, the road
33 district clerk; and

34 (2) limit voting at that polling place to registered
35 voters in that municipality, township, or road district.

1 (10 ILCS 5/19A-15 new)

2 Sec. 19A-15. Period for early voting; hours.

3 (a) The period for early voting by personal appearance
4 begins the third Saturday preceding a general primary,
5 consolidated primary, consolidated, or general election and
6 extends through the Friday before election day, Sundays and
7 holidays excepted.

8 (b) The election authority may include any Sunday or
9 holiday that falls within the period for early voting.

10 (c) A permanent polling place for early voting must remain
11 open during the hours of 8:30 a.m. to 4:30 p.m., or 9:00 a.m.
12 to 5:00 p.m., on weekdays and 9:00 a.m. to 12:00 p.m. on
13 Saturdays. If the election authority includes a Sunday or
14 holiday that falls within the period for early voting, the
15 permanent polling place must remain open during the hours that
16 the election authority and municipal clerk, township clerk, or
17 road district clerk establish.

18 (10 ILCS 5/19A-20 new)

19 Sec. 19A-20. Temporary branch polling places.

20 (a) In addition to permanent polling places for early
21 voting, the election authority may establish temporary branch
22 polling places for early voting.

23 (b) The provisions of subsection (c) of Section 19A-15 do
24 not apply to a temporary polling place. Voting at a temporary
25 branch polling place may be conducted on any one or more days
26 and during any hours within the period for early voting by
27 personal appearance that are determined by the election
28 authority.

29 (c) The schedules for conducting voting do not need to be
30 uniform among the temporary branch polling places.

31 (d) The legal rights and remedies which inure to the owner
32 or lessor of private property are not impaired or otherwise
33 affected by the leasing of the property for use as a temporary
34 branch polling place for early voting, except to the extent

1 necessary to conduct early voting at that location.

2 (10 ILCS 5/19A-25 new)

3 Sec. 19A-25. Schedule of locations and times for early
4 voting.

5 (a) The election authority shall publish during the week
6 before the period for early voting and at least once each week
7 during the period for early voting in a newspaper of general
8 circulation in the election authority's jurisdiction a
9 schedule stating:

10 (1) the location of each permanent and temporary
11 polling place for early voting and the precincts served by
12 each location; and

13 (2) the dates and hours that early voting will be
14 conducted at each location.

15 (b) The election authority shall post a copy of the
16 schedule at the office of the municipal clerk, the township
17 clerk, or road district clerk. The schedule must be posted
18 continuously for a period beginning not later than the 5th day
19 before the first day of the period for early voting by personal
20 appearance and ending on the last day of that period.

21 (c) The election authority must make copies of the schedule
22 available to the public in reasonable quantities without charge
23 during the period of posting.

24 (d) No additional polling places for early voting may be
25 established after the schedule is published under this Section.

26 (10 ILCS 5/19A-25.5 new)

27 Sec. 19A-25.5. Voting machines, automatic tabulating
28 equipment, and precinct tabulation optical scan technology
29 voting equipment.

30 (a) In all jurisdictions in which voting machines are used,
31 the provisions of this Code that are not inconsistent with this
32 Article relating to the furnishing of ballot boxes, printing
33 and furnishing ballots and supplies, the canvassing of ballots,
34 and the making of returns, apply with full force and effect to

1 the extent necessary to make this Article effective, provided
2 that the number of ballots to be printed shall be in the
3 discretion of the election authority.

4 (b) If the election authority has adopted the use of
5 automatic tabulating equipment under Article 24A of this Code,
6 and the provisions of that Article are in conflict with the
7 provisions of this Article 19A, the provisions of Article 24A
8 shall govern the procedures followed by the election authority,
9 its judges of election, and all employees and agents.

10 (c) If the election authority has adopted the use of
11 precinct tabulation optical scan technology voting equipment
12 under Article 24B of this Code, and the provisions of that
13 Article are in conflict with the provisions of this Article
14 19A, the provisions of Article 24B shall govern the procedures
15 followed by the election authority, its judges of election, and
16 all employees and agents.

17 (10 ILCS 5/19A-30 new)

18 Sec. 19A-30. Appointment of election officials.

19 (a) The election authority must appoint an employee to
20 serve as the election official in charge of each polling place
21 for early voting.

22 (b) The election authority may also appoint as many
23 additional election officials as it deems necessary for the
24 proper conduct of the election.

25 (10 ILCS 5/19A-35 new)

26 Sec. 19A-35. Procedure for voting.

27 (a) Not more than 23 days before the start of early voting,
28 the county clerk shall make available to the election authority
29 conducting early voting by personal appearance a sufficient
30 number of early ballots, envelopes, and printed voting
31 instruction slips for the use of early voters. The election
32 authority shall receipt for all ballots received and shall
33 return unused or spoiled ballots at the close of the early
34 voting period to the county clerk and must strictly account for

1 all ballots received. The ballots delivered to the election
2 authority must include early ballots for each precinct in the
3 election authority's jurisdiction and must include separate
4 ballots for each political subdivision conducting an election
5 of officers or a referendum at that election.

6 (b) In conducting early voting under this Article, the
7 election official is not required to verify the signature of
8 the early voter by comparison with the signature on the
9 official registration card, however, the official must verify
10 (i) the identity of the applicant, (ii) that the applicant is a
11 registered voter, (iii) the precinct in which the applicant is
12 registered, and (iv) the proper ballots of the political
13 subdivision in which the applicant resides and is entitled to
14 vote before providing an early ballot to the applicant. The
15 election official must verify the applicant's registration
16 from the most recent poll list provided by the election
17 authority, and if the applicant is not listed on that poll
18 list, by telephoning the office of the election authority.

19 (c) The sealed early ballots in their carrier envelope
20 shall be delivered by the election officials to the proper
21 polling place before the close of the polls on the day of the
22 election.

23 (10 ILCS 5/19A-40 new)

24 Sec. 19A-40. Enclosure of ballots in envelope.

25 It is the duty of the election authority to fold the ballot
26 or ballots in the manner specified by the statute for folding
27 ballots prior to their deposit in the ballot box, and to
28 enclose the ballot or ballots in an envelope unsealed to be
29 furnished by him, which envelope shall bear upon the face
30 thereof the name, official title, and post office address of
31 the election authority, and upon the other side a printed
32 certification in substantially the following form:

33 I state that I am a resident of the precinct of the
34 (1) *township of (2) *City of or (3) *.... ward in
35 the city of residing at in that city or town in the

1 county of and State of Illinois, that I have lived at that
2 address for months last past; that I am lawfully entitled
3 to vote in that precinct at the election to be held on
4

5 *fill in either (1), (2) or (3).

6 I further state that I personally marked the enclosed
7 ballot in secret.

8 Under penalties of perjury as provided by law pursuant to
9 Section 29-10 of the Election Code, the undersigned certifies
10 that the statements set forth in this certification are true
11 and correct.

12

13 If the ballot enclosed is to be voted at a primary
14 election, the certification shall designate the name of the
15 political party with which the voter is affiliated.

16 In addition to the above, the election authority shall
17 provide printed slips giving full instructions regarding the
18 manner of marking and returning the ballot in order that the
19 same may be counted, and shall furnish one of the printed slips
20 to each of such applicants at the same time the ballot is
21 delivered to him or her. The instructions shall include the
22 following statement: "In signing the certification on the early
23 ballot envelope, you are attesting that you personally marked
24 this early ballot in secret. If your are physically unable to
25 mark the ballot, a friend or relative may assist you. Federal
26 and State laws prohibit your employer, your employer's agent,
27 or an officer or agent of your union form assisting physically
28 disabled voters."

29 In addition to the above, if a ballot to be provided to a
30 voter pursuant to this Section contains a public question
31 described in subsection (b) of Section 28-6 and the territory
32 concerning which the question is to be submitted is not
33 described on the ballot due to the space limitations of the
34 ballot, the election authority shall provide a printed copy of
35 a notice of the public question, which shall include a
36 description of the territory in the manner required by Section

1 16-7. The notice shall be furnished to the voter at the same
2 time the ballot is delivered to the voter.

3 (10 ILCS 5/19A-45 new)

4 Sec. 19A-45. Certification. The voter shall make and
5 subscribe the certification provided for on the return envelope
6 of the ballot, and the ballot or ballots shall be folded by the
7 voter in the manner required to be folded before depositing the
8 ballot in the ballot box, and shall be deposited in the
9 envelope and the envelope securely sealed. The voter shall then
10 endorse his or her certificate on the back of the envelope and
11 the envelope shall be returned to the election official
12 conducting the early voting.

13 (10 ILCS 5/19A-50 new)

14 Sec. 19A-50. Receipt of ballots. Upon receipt of the
15 voter's ballot, the election official shall enclose the
16 unopened ballot in a large or carrier envelope that shall be
17 securely sealed and endorsed with the name and official title
18 of the election official and the words, "This envelope contains
19 a ballot and must be opened on election day", together with the
20 number and description of the precinct in which the ballot is
21 to be voted, and the election authority shall safely keep the
22 envelope in its office until delivered to the judges of
23 election as provided in Section 19A-35.

24 (10 ILCS 5/19A-55 new)

25 Sec. 19A-55. Casting the ballots.

26 At the close of the regular balloting and at the close of
27 the polls the judges of election of each voting precinct shall
28 proceed to cast the early voter's ballot separately, and as
29 each early voter's ballot is taken shall open the outer or
30 carrier envelope, announce the early voter's name, and compare
31 the signature upon the official registration card with the
32 signature upon the certification on the ballot envelope. In
33 case the judges find the certification properly executed, that

1 the signatures correspond, that the applicant is a duly
2 qualified voter in the precinct, and the voter has not been
3 present and voted on the election day, they shall open the
4 envelope containing the early voter's ballot in a manner that
5 does not to deface or destroy the certification thereon, or
6 mark or tear the ballots therein and take out the ballot or
7 ballots therein contained without unfolding or permitting the
8 same to be unfolded or examined, and having endorsed the ballot
9 in like manner as other ballots are required to be endorsed,
10 shall deposit the same in the proper ballot box or boxes and
11 enter the early voter's name in the poll book the same as if he
12 or she had voted on election day. The judges shall place the
13 early ballot certification envelopes in a separate envelope as
14 per the direction of the election authority. The envelope
15 containing the early ballot certification envelopes shall be
16 returned to the election authority and preserved in like manner
17 as the official poll record.

18 In case the signatures do not correspond, or the applicant
19 is not a duly qualified voter in the precinct or the ballot
20 envelope is open or has been opened and resealed, or the voter
21 has voted on election day, the previously cast vote shall not
22 be allowed, but without opening the early voter's envelope the
23 judge of the election shall mark across the face thereof,
24 "Rejected", giving the reason therefor.

25 In case the ballot envelope contains more than one ballot
26 of any kind, the ballots shall not be counted, but shall be
27 marked "Rejected", giving the reason therefor.

28 The early voters' envelopes and affidavits and the early
29 voters' envelope with its contents unopened, when the early
30 vote is rejected, shall be retained and preserved in the manner
31 as now provided for the retention and preservation of official
32 ballots rejected at the election.

33 (10 ILCS 5/19A-60 new)

34 Sec. 19A-60. Pollwatchers. Pollwatchers may be appointed
35 to observe early voting by personal appearance at each

1 permanent and temporary polling place where early voting is
2 conducted. The pollwatchers shall qualify and be appointed in
3 the same manner as provided in Sections 7-34 and 17-23, except
4 that each candidate, political party, or organization of
5 citizens may appoint only one pollwatcher for each location
6 where early voting by personal appearance is conducted.
7 Pollwatchers must be residents of the county and possess valid
8 pollwatcher credentials.

9 In the polling place on election day, pollwatchers are
10 permitted to be present during the casting of the early ballots
11 and the vote of an early voter may be challenged for cause the
12 same as if the voter were present and voted on election day.
13 The judges of election, or a majority of them, have the power
14 and authority to hear and determine the legality of the early
15 ballot, provided, however, that if a challenge to any early
16 voter's right to vote is sustained, notice of the challenge
17 must be given by the judges of election by mail addressed to
18 the voter's place of residence.

19 (10 ILCS 5/19A-65 new)

20 Sec. 19A-65. Death of voter before opening of polls.
21 Whenever due proof is made to the judges of election that any
22 voter who has marked an early ballot as provided in this
23 Article has died before the opening of the polls on the date of
24 the election, the ballot of the deceased voter shall be
25 returned by the judges of election in the same manner provided
26 for rejected ballots; but the casting of the ballot of a
27 deceased voter shall not invalidate the election.

28 (10 ILCS 5/19A-70 new)

29 Sec. 19A-70. Advertising or campaigning in proximity of
30 polling place; penalty. During the period prescribed in Section
31 19A-15 for early voting by personal appearance, no advertising
32 pertaining to any candidate or proposition to be voted on may
33 be displayed in or within 100 feet of any polling place used by
34 voters under this Article. No person may engage in

1 electioneering in or within 100 feet of any polling place used
2 by voters under this Article.

3 Any person who violates this Section may be punished for
4 contempt of court.

5 (10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

6 Sec. 24A-10. (1) In an election jurisdiction which has
7 adopted an electronic voting system, the election official in
8 charge of the election shall select one of the 3 following
9 procedures for receiving, counting, tallying, and return of the
10 ballots:

11 (a) Two ballot boxes shall be provided for each polling
12 place. The first ballot box is for the depositing of votes cast
13 on the electronic voting system; and the second ballot box is
14 for all votes cast on paper ballots, including absentee paper
15 and early paper ballots and any other paper ballots required to
16 be voted other than on the electronic voting system. Ballots,
17 except absentee and early ballots for candidates and
18 propositions which are listed on the electronic voting system,
19 deposited in the second ballot box shall be counted, tallied,
20 and returned as is elsewhere provided in "The Election Code,"
21 as amended, for the counting and handling of paper ballots.
22 Immediately after the closing of the polls the absentee and
23 early ballots delivered to the precinct judges of election by
24 the election official in charge of the election shall be
25 examined to determine that such ballots comply with Sections
26 19-9, 19A-55, and 20-9 of "The Election Code," as amended, and
27 are entitled to be deposited in the ballot box provided
28 therefor; those entitled to be deposited in this ballot box
29 shall be initialed by the precinct judges of election and
30 deposited therein. Those not entitled to be deposited in this
31 ballot box shall be marked "Rejected" and disposed of as
32 provided in Sections 19-9, 19A-55, and 20-9. The precinct
33 judges of election shall then open the second ballot box and
34 examine all paper absentee and early ballots which are in the
35 ballot box to determine whether the absentee and early ballots

1 bear the initials of a precinct judge of election. If any
2 absentee or early ballot is not so initialed, it shall be
3 marked on the back "Defective," initialed as to such label by
4 all judges immediately under such word "Defective," and not
5 counted, but placed in the envelope provided for that purpose
6 labeled "Defective Ballots Envelope." The judges of election,
7 consisting in each case of at least one judge of election of
8 each of the two major political parties, shall examine the
9 paper absentee and early ballots which were in such ballot box
10 and properly initialed so as to determine whether the same
11 contain write-in votes. Write-in votes, not causing an overvote
12 for an office otherwise voted for on the paper absentee or
13 early ballot, and otherwise properly voted, shall be counted,
14 tallied and recorded on the tally sheet provided for such
15 record. A write-in vote causing an overvote for an office shall
16 not be counted for that office, but the precinct judges shall
17 mark such paper or early absentee ballot "Objected To" on the
18 back thereof and write on its back the manner in which such
19 ballot is counted and initial the same. An overvote for one
20 office shall invalidate only the vote or count of that
21 particular office. After counting, tallying and recording the
22 write-in votes on absentee and early ballots, the judges of
23 election, consisting in each case of at least one judge of
24 election of each of the two major political parties, shall make
25 a true duplicate ballot of the remaining valid votes on each
26 paper absentee or early ballot which was in the ballot box and
27 properly initialed, by using the electronic voting system used
28 in the precinct and one of the marking devices of the precinct
29 so as to transfer the remaining valid votes of the voter on the
30 paper absentee ballot to an official ballot or a ballot card of
31 that kind used in the precinct at that election. The original
32 paper absentee or early ballot shall be clearly labeled
33 "Absentee Ballot" or "Early Ballot", as the case may be, and
34 the ballot card so produced "Duplicate Absentee Ballot," or
35 "Duplicate Early Ballot", as the case may be, and each shall
36 bear the same serial number which shall be placed thereon by

1 the judges of election, commencing with number 1 and continuing
2 consecutively for the ballots of that kind in that precinct.
3 The judges of election shall initial the "Duplicate Absentee
4 Ballot" and "Duplicate Early Ballot" ballots or ballot cards
5 and shall place them in the first ballot box provided for
6 return of the ballots to be counted at the central counting
7 location in lieu of the paper absentee and early ballots. The
8 paper absentee and early ballots shall be placed in an envelope
9 provided for that purpose labeled "Duplicate Ballots."

10 As soon as the absentee and early ballots have been
11 deposited in the first ballot box, the judges of election shall
12 make out a slip indicating the number of persons who voted in
13 the precinct at the election. Such slip shall be signed by all
14 the judges of election and shall be inserted by them in the
15 first ballot box. The judges of election shall thereupon
16 immediately lock the first ballot box; provided, that if such
17 box is not of a type which may be securely locked, such box
18 shall be sealed with filament tape provided for such purpose
19 which shall be wrapped around the box lengthwise and crosswise,
20 at least twice each way, and in such manner that the seal
21 completely covers the slot in the ballot box, and each of the
22 judges shall sign such seal. Thereupon two of the judges of
23 election, of different political parties, shall forthwith and
24 by the most direct route transport both ballot boxes to the
25 counting location designated by the county clerk or board of
26 election commissioners.

27 Before the ballots of a precinct are fed to the electronic
28 tabulating equipment, the first ballot box shall be opened at
29 the central counting station by the two precinct transport
30 judges. Upon opening a ballot box, such team shall first count
31 the number of ballots in the box. If 2 or more are folded
32 together so as to appear to have been cast by the same person,
33 all of the ballots so folded together shall be marked and
34 returned with the other ballots in the same condition, as near
35 as may be, in which they were found when first opened, but
36 shall not be counted. If the remaining ballots are found to

1 exceed the number of persons voting in the precinct as shown by
2 the slip signed by the judges of election, the ballots shall be
3 replaced in the box, and the box closed and well shaken and
4 again opened and one of the precinct transport judges shall
5 publicly draw out so many ballots unopened as are equal to such
6 excess.

7 Such excess ballots shall be marked "Excess-Not Counted"
8 and signed by the two precinct transport judges and shall be
9 placed in the "After 7:00 p.m. Defective Ballots Envelope". The
10 number of excess ballots shall be noted in the remarks section
11 of the Certificate of Results. "Excess" ballots shall not be
12 counted in the total of "defective" ballots.

13 The precinct transport judges shall then examine the
14 remaining ballots for write-in votes and shall count and
15 tabulate the write-in vote; or

16 (b) A single ballot box, for the deposit of all votes cast,
17 shall be used. All ballots which are not to be tabulated on the
18 electronic voting system shall be counted, tallied, and
19 returned as elsewhere provided in "The Election Code," as
20 amended, for the counting and handling of paper ballots.

21 All ballots to be processed and tabulated with the
22 electronic voting system shall be processed as follows:

23 Immediately after the closing of the polls the absentee and
24 early ballots delivered to the precinct judges of election by
25 the election official in charge of the election shall be
26 examined to determine that such ballots comply with Sections
27 19-9, 19A-55, and 20-9 of "The Election Code," as amended, and
28 are entitled to be deposited in the ballot box; those entitled
29 to be deposited in the ballot box shall be initialed by the
30 precinct judges of election and deposited in the ballot box.
31 Those not entitled to be deposited in the ballot box shall be
32 marked "Rejected" and disposed of as provided in said Sections
33 19-9, 19A-55, and 20-9. The precinct judges of election then
34 shall open the ballot box and canvass the votes polled to
35 determine that the number of ballots therein agree with the
36 number of voters voting as shown by the applications for ballot

1 or if the same do not agree the judges of election shall make
2 such ballots agree with the applications for ballot in the
3 manner provided by Section 17-18 of "The Election Code." The
4 judges of election shall then examine all paper absentee and
5 early ballots, ballot cards and ballot card envelopes which are
6 in the ballot box to determine whether the paper ballots,
7 ballot cards and ballot card envelopes bear the initials of a
8 precinct judge of election. If any paper ballot, ballot card or
9 ballot card envelope is not initialed, it shall be marked on
10 the back "Defective," initialed as to such label by all judges
11 immediately under such word "Defective," and not counted, but
12 placed in the envelope provided for that purpose labeled
13 "Defective Ballots Envelope." The judges of election,
14 consisting in each case of at least one judge of election of
15 each of the two major political parties, shall examine the
16 paper absentee and early ballots which were in the ballot box
17 and properly initialed so as to determine whether the same
18 contain write-in votes. Write-in votes, not causing an overvote
19 for an office otherwise voted for on the paper absentee or
20 early ballot, and otherwise properly voted, shall be counted,
21 tallied and recorded on the tally sheet provided for such
22 record. A write-in vote causing an overvote for an office shall
23 not be counted for that office, but the precinct judges shall
24 mark such paper absentee or early ballot "Objected To" on the
25 back thereof and write on its back the manner in which such
26 ballot is counted and initial the same. An overvote for one
27 office shall invalidate only the vote or count of that
28 particular office. After counting, tallying and recording the
29 write-in votes on absentee and early ballots, the judges of
30 election, consisting in each case of at least one judge of
31 election of each of the two major political parties, shall make
32 a true duplicate ballot of the remaining valid votes on each
33 paper absentee and early ballot which was in the ballot box and
34 properly initialed, by using the electronic voting system used
35 in the precinct and one of the marking devices of the precinct
36 so as to transfer the remaining valid votes of the voter on the

1 paper absentee or early ballot to an official ballot or a
2 ballot card of that kind used in the precinct at that election.
3 The original paper absentee ballot shall be clearly labeled
4 "Absentee Ballot" or "Early Ballot", as the case may be, and
5 the ballot card so produced "Duplicate Absentee Ballot," or
6 "Duplicate Early Ballot", as the case may be, and each shall
7 bear the same serial number which shall be placed thereon by
8 the judges of election, commencing with number 1 and continuing
9 consecutively for the ballots of that kind in that precinct.
10 The judges of election shall initial the "Duplicate Absentee
11 Ballot" and "Duplicate Early Ballot" ballots or ballot cards,
12 and shall place them in the box for return of the ballots with
13 all other ballots or ballot cards to be counted at the central
14 counting location in lieu of the paper absentee and early
15 ballots. The paper absentee and early ballots shall be placed
16 in an envelope provided for that purpose labeled "Duplicate
17 Ballots."

18 When an electronic voting system is used which utilizes a
19 ballot card, before separating the remaining ballot cards from
20 their respective covering envelopes, the judges of election
21 shall examine the ballot card envelopes for write-in votes.
22 When the voter has voted a write-in vote, the judges of
23 election shall compare the write-in vote with the votes on the
24 ballot card to determine whether such write-in results in an
25 overvote for any office. In case of an overvote for any office,
26 the judges of election, consisting in each case of at least one
27 judge of election of each of the two major political parties,
28 shall make a true duplicate ballot of all votes on such ballot
29 card except for the office which is overvoted, by using the
30 ballot label booklet of the precinct and one of the marking
31 devices of the precinct so as to transfer all votes of the
32 voter except for the office overvoted, to an official ballot
33 card of that kind used in the precinct at that election. The
34 original ballot card and envelope upon which there is an
35 overvote shall be clearly labeled "Overvoted Ballot", and each
36 shall bear the same serial number which shall be placed thereon

1 by the judges of election, commencing with number 1 and
2 continuing consecutively for the ballots of that kind in that
3 precinct. The judges of election shall initial the "Duplicate
4 Overvoted Ballot" ballot cards and shall place them in the box
5 for return of the ballots. The "Overvoted Ballot" ballots and
6 their envelopes shall be placed in the "Duplicate Ballots"
7 envelope. Envelopes bearing write-in votes marked in the place
8 designated therefor and bearing the initials of a precinct
9 judge of election and not resulting in an overvote and
10 otherwise complying with the election laws as to marking shall
11 be counted, tallied, and their votes recorded on a tally sheet
12 provided by the election official in charge of the election.
13 The ballot cards and ballot card envelopes shall be separated
14 and all except any defective or overvoted shall be placed
15 separately in the box for return of the ballots, along with all
16 "Duplicate Absentee Ballots", "Duplicate Early Ballots", and
17 "Duplicate Overvoted Ballots." The judges of election shall
18 examine the ballots and ballot cards to determine if any is
19 damaged or defective so that it cannot be counted by the
20 automatic tabulating equipment. If any ballot or ballot card is
21 damaged or defective so that it cannot properly be counted by
22 the automatic tabulating equipment, the judges of election,
23 consisting in each case of at least one judge of election of
24 each of the two major political parties, shall make a true
25 duplicate ballot of all votes on such ballot card by using the
26 ballot label booklet of the precinct and one of the marking
27 devices of the precinct. The original ballot or ballot card and
28 envelope shall be clearly labeled "Damaged Ballot" and the
29 ballot or ballot card so produced "Duplicate Damaged Ballot,"
30 and each shall bear the same number which shall be placed
31 thereon by the judges of election, commencing with number 1 and
32 continuing consecutively for the ballots of that kind in the
33 precinct. The judges of election shall initial the "Duplicate
34 Damaged Ballot" ballot or ballot cards, and shall place them in
35 the box for return of the ballots. The "Damaged Ballot" ballots
36 or ballot cards and their envelopes shall be placed in the

1 "Duplicated Ballots" envelope. A slip indicating the number of
2 voters voting in person, number of absentee votes deposited in
3 the ballot box, and the total number of voters of the precinct
4 who voted at the election shall be made out, signed by all
5 judges of election, and inserted in the box for return of the
6 ballots. The tally sheets recording the write-in votes shall be
7 placed in this box. The judges of election thereupon
8 immediately shall securely lock the ballot box or other
9 suitable box furnished for return of the ballots by the
10 election official in charge of the election; provided that if
11 such box is not of a type which may be securely locked, such
12 box shall be sealed with filament tape provided for such
13 purpose which shall be wrapped around the box lengthwise and
14 crosswise, at least twice each way. A separate adhesive seal
15 label signed by each of the judges of election of the precinct
16 shall be affixed to the box so as to cover any slot therein and
17 to identify the box of the precinct; and if such box is sealed
18 with filament tape as provided herein rather than locked, such
19 tape shall be wrapped around the box as provided herein, but in
20 such manner that the separate adhesive seal label affixed to
21 the box and signed by the judges may not be removed without
22 breaking the filament tape and disturbing the signature of the
23 judges. Thereupon, 2 of the judges of election, of different
24 major political parties, forthwith shall by the most direct
25 route transport the box for return of the ballots and enclosed
26 ballots and returns to the central counting location designated
27 by the election official in charge of the election. If,
28 however, because of the lack of adequate parking facilities at
29 the central counting location or for any other reason, it is
30 impossible or impracticable for the boxes from all the polling
31 places to be delivered directly to the central counting
32 location, the election official in charge of the election may
33 designate some other location to which the boxes shall be
34 delivered by the 2 precinct judges. While at such other
35 location the boxes shall be in the care and custody of one or
36 more teams, each consisting of 4 persons, 2 from each of the

1 two major political parties, designated for such purpose by the
2 election official in charge of elections from recommendations
3 by the appropriate political party organizations. As soon as
4 possible, the boxes shall be transported from such other
5 location to the central counting location by one or more teams,
6 each consisting of 4 persons, 2 from each of the 2 major
7 political parties, designated for such purpose by the election
8 official in charge of elections from recommendations by the
9 appropriate political party organizations.

10 The "Defective Ballots" envelope, and "Duplicated Ballots"
11 envelope each shall be securely sealed and the flap or end
12 thereof of each signed by the precinct judges of election and
13 returned to the central counting location with the box for
14 return of the ballots, enclosed ballots and returns.

15 At the central counting location, a team of tally judges
16 designated by the election official in charge of the election
17 shall check the box returned containing the ballots to
18 determine that all seals are intact, and thereupon shall open
19 the box, check the voters' slip and compare the number of
20 ballots so delivered against the total number of voters of the
21 precinct who voted, remove the ballots or ballot cards and
22 deliver them to the technicians operating the automatic
23 tabulating equipment. Any discrepancies between the number of
24 ballots and total number of voters shall be noted on a sheet
25 furnished for that purpose and signed by the tally judges; or

26 (c) A single ballot box, for the deposit of all votes cast,
27 shall be used. Immediately after the closing of the polls the
28 judges of election shall examine the absentee and early ballots
29 received by the precinct judges of election from the election
30 authority of voters in that precinct to determine that they
31 comply with the provisions of Sections 19-9, 19A-55, 20-8, and
32 20-9 of the Election Code, as amended, and are entitled to be
33 deposited in the ballot box; those entitled to be deposited in
34 the ballot box shall be initialed by the precinct judges and
35 deposited in the ballot box. Those not entitled to be deposited
36 in the ballot box, in accordance with Sections 19-9, 19A-55,

1 20-8, and 20-9 of the Election Code, as amended, shall be
2 marked "Rejected" and preserved in the manner provided in The
3 Election Code for the retention and preservation of official
4 ballots rejected at such election. Immediately upon the
5 completion of the absentee and early balloting, the precinct
6 judges of election shall securely lock the ballot box; provided
7 that if such box is not of a type which may be securely locked,
8 such box shall be sealed with filament tape provided for such
9 purpose which shall be wrapped around the box lengthwise and
10 crosswise, at least twice each way. A separate adhesive seal
11 label signed by each of the judges of election of the precinct
12 shall be affixed to the box so as to cover any slot therein and
13 to identify the box of the precinct; and if such box is sealed
14 with filament tape as provided herein rather than locked, such
15 tape shall be wrapped around the box as provided herein, but in
16 such manner that the separate adhesive seal label affixed to
17 the box and signed by the judges may not be removed without
18 breaking the filament tape and disturbing the signature of the
19 judges. Thereupon, 2 of the judges of election, of different
20 major political parties, shall forthwith by the most direct
21 route transport the box for return of the ballots and enclosed
22 absentee and early ballots and returns to the central counting
23 location designated by the election official in charge of the
24 election. If however, because of the lack of adequate parking
25 facilities at the central counting location or for some other
26 reason, it is impossible or impracticable for the boxes from
27 all the polling places to be delivered directly to the central
28 counting location, the election official in charge of the
29 election may designate some other location to which the boxes
30 shall be delivered by the 2 precinct judges. While at such
31 other location the boxes shall be in the care and custody of
32 one or more teams, each consisting of 4 persons, 2 from each of
33 the two major political parties, designated for such purpose by
34 the election official in charge of elections from
35 recommendations by the appropriate political party
36 organizations. As soon as possible, the boxes shall be

1 transported from such other location to the central counting
2 location by one or more teams, each consisting of 4 persons, 2
3 from each of the 2 major political parties, designated for such
4 purpose by the election official in charge of the election from
5 recommendations by the appropriate political party
6 organizations.

7 At the central counting location there shall be one or more
8 teams of tally judges who possess the same qualifications as
9 tally judges in election jurisdictions using paper ballots. The
10 number of such teams shall be determined by the election
11 authority. Each team shall consist of 5 tally judges, 3
12 selected and approved by the county board from a certified list
13 furnished by the chairman of the county central committee of
14 the party with the majority of members on the county board and
15 2 selected and approved by the county board from a certified
16 list furnished by the chairman of the county central committee
17 of the party with the second largest number of members on the
18 county board. At the central counting location a team of tally
19 judges shall open the ballot box and canvass the votes polled
20 to determine that the number of ballot sheets therein agree
21 with the number of voters voting as shown by the applications
22 for ballot and for absentee and early ballot; and, if the same
23 do not agree, the tally judges shall make such ballots agree
24 with the number of applications for ballot in the manner
25 provided by Section 17-18 of the Election Code. The tally
26 judges shall then examine all ballot sheets which are in the
27 ballot box to determine whether they bear the initials of the
28 precinct judge of election. If any ballot is not initialed, it
29 shall be marked on the back "Defective", initialed as to such
30 label by all tally judges immediately under such word
31 "Defective", and not counted, but placed in the envelope
32 provided for that purpose labeled "Defective Ballots
33 Envelope". Write-in votes, not causing an overvote for an
34 office otherwise voted for on the absentee and early ballot
35 sheet, and otherwise properly voted, shall be counted, tallied
36 and recorded by the central counting location judges on the

1 tally sheet provided for such record. A write-in vote causing
2 an overvote for an office shall not be counted for that office,
3 but the tally judges shall mark such absentee ballot sheet
4 "Objected To" on the back thereof and write on its back the
5 manner in which such ballot is counted and initial the same. An
6 overvote for one office shall invalidate only the vote or count
7 of that particular office.

8 At the central counting location, a team of tally judges
9 designated by the election official in charge of the election
10 shall deliver the ballot sheets to the technicians operating
11 the automatic tabulating equipment. Any discrepancies between
12 the number of ballots and total number of voters shall be noted
13 on a sheet furnished for that purpose and signed by the tally
14 judges.

15 (2) Regardless of which procedure described in subsection
16 (1) of this Section is used, the judges of election designated
17 to transport the ballots, properly signed and sealed as
18 provided herein, shall ensure that the ballots are delivered to
19 the central counting station no later than 12 hours after the
20 polls close. At the central counting station a team of tally
21 judges designated by the election official in charge of the
22 election shall examine the ballots so transported and shall not
23 accept ballots for tabulating which are not signed and sealed
24 as provided in subsection (1) of this Section until the judges
25 transporting the same make and sign the necessary corrections.
26 Upon acceptance of the ballots by a team of tally judges at the
27 central counting station, the election judges transporting the
28 same shall take a receipt signed by the election official in
29 charge of the election and stamped with the date and time of
30 acceptance. The election judges whose duty it is to transport
31 any ballots shall, in the event such ballots cannot be found
32 when needed, on proper request, produce the receipt which they
33 are to take as above provided.

34 (Source: P.A. 83-1362.)

1 Sec. 24A-15.1. Except as herein provided, discovery
2 recounts and election contests shall be conducted as otherwise
3 provided for in "The Election Code", as amended. The automatic
4 tabulating equipment shall be tested prior to the discovery
5 recount or election contest as provided in Section 24A-9, and
6 then the official ballots or ballot cards shall be recounted on
7 the automatic tabulating equipment. In addition, (1) the ballot
8 or ballot cards shall be checked for the presence or absence of
9 judges' initials and other distinguishing marks, and (2) the
10 ballots marked "Rejected", "Defective", "Objected to", ~~and~~
11 "Absentee Ballot", and "Early Ballot" shall be examined to
12 determine the propriety of the such labels, and (3) the
13 "Duplicate Absentee Ballots", "Duplicate Early Ballots",
14 "Duplicate Overvoted Ballots" and "Duplicate Damaged Ballots"
15 shall be compared with their respective originals to determine
16 the correctness of the duplicates.

17 Any person who has filed a petition for discovery recount
18 may request that a redundant count be conducted in those
19 precincts in which the discovery recount is being conducted.
20 The additional costs of such a redundant count shall be borne
21 by the requesting party.

22 The log of the computer operator and all materials retained
23 by the election authority in relation to vote tabulation and
24 canvass shall be made available for any discovery recount or
25 election contest.

26 (Source: P.A. 82-1014.)

27 (10 ILCS 5/24B-10)

28 Sec. 24B-10. Receiving, Counting, Tallying and Return of
29 Ballots; Acceptance of Ballots by Election Authority.

30 (a) In an election jurisdiction which has adopted an
31 electronic Precinct Tabulation Optical Scan Technology voting
32 system, the election official in charge of the election shall
33 select one of the 3 following procedures for receiving,
34 counting, tallying, and return of the ballots:

35 (1) Two ballot boxes shall be provided for each polling

1 place. The first ballot box is for the depositing of votes
2 cast on the electronic voting system; and the second ballot
3 box is for all votes cast on other ballots, including
4 absentee paper and early paper ballots and any other paper
5 ballots required to be voted other than on the Precinct
6 Tabulation Optical Scan Technology electronic voting
7 system. Ballots, except absentee and early ballots for
8 candidates and propositions which are listed on the
9 Precinct Tabulation Optical Scan Technology electronic
10 voting system, deposited in the second ballot box shall be
11 counted, tallied, and returned as is elsewhere provided in
12 this Code for the counting and handling of paper ballots.
13 Immediately after the closing of the polls the absentee and
14 early ballots delivered to the precinct judges of election
15 by the election official in charge of the election shall be
16 examined to determine that the ballots comply with Sections
17 19-9, 19A-55 and 20-9 of this Code and are entitled to be
18 inserted into the counting equipment and deposited into the
19 ballot box provided; those entitled to be deposited in this
20 ballot box shall be initialed by the precinct judges of
21 election and deposited. Those not entitled to be deposited
22 in this ballot box shall be marked "Rejected" and disposed
23 of as provided in Sections 19-9, 19A-55 and 20-9. The
24 precinct judges of election shall then open the second
25 ballot box and examine all paper absentee and early ballots
26 which are in the ballot box to determine whether the
27 absentee or early ballots bear the initials of a precinct
28 judge of election. If any absentee or early ballot is not
29 so initialed, it shall be marked on the back "Defective",
30 initialed as to the label by all judges immediately under
31 the word "Defective", and not counted, but placed in the
32 envelope provided for that purpose labeled "Defective
33 Ballots Envelope". The judges of election, consisting in
34 each case of at least one judge of election of each of the
35 2 major political parties, shall examine the paper absentee
36 and early ballots which were in such ballot box and

1 properly initialed to determine whether the same contain
2 write-in votes. Write-in votes, not causing an overvote for
3 an office otherwise voted for on the paper absentee or
4 early ballot, and otherwise properly voted, shall be
5 counted, tallied and recorded on the tally sheet provided
6 for the record. A write-in vote causing an overvote for an
7 office shall not be counted for that office, but the
8 precinct judges shall mark such paper absentee ballot
9 "Objected To" on the back and write on its back the manner
10 in which the ballot is counted and initial the same. An
11 overvote for one office shall invalidate only the vote or
12 count of that particular office. After counting, tallying
13 and recording the write-in votes on absentee and early
14 ballots, the judges of election, consisting in each case of
15 at least one judge of election of each of the 2 major
16 political parties, shall make a true duplicate ballot of
17 the remaining valid votes on each paper absentee and early
18 ballot which was in the ballot box and properly initialed,
19 by using the electronic Precinct Tabulation Optical Scan
20 Technology voting system used in the precinct and one of
21 the marking devices, or equivalent marking device or
22 equivalent ballot, of the precinct to transfer the
23 remaining valid votes of the voter on the paper absentee or
24 early ballot to an official ballot or a ballot card of that
25 kind used in the precinct at that election. The original
26 paper absentee ballot shall be clearly labeled "Absentee
27 Ballot" or "Early Ballot", as the case may be, and the
28 ballot card so produced "Duplicate Absentee Ballot" or
29 "Duplicate Early Ballot", as the case may be, and each
30 shall bear the same serial number which shall be placed
31 thereon by the judges of election, beginning with number 1
32 and continuing consecutively for the ballots of that kind
33 in that precinct. The judges of election shall initial the
34 "Duplicate Absentee Ballot" and "Duplicate Early Ballot"
35 ballots and shall place them in the first ballot box
36 provided for return of the ballots to be counted at the

1 central counting location in lieu of the paper absentee and
2 early ballots. The paper absentee ballots shall be placed
3 in an envelope provided for that purpose labeled "Duplicate
4 Ballots".

5 As soon as the absentee and early ballots have been
6 deposited in the first ballot box, the judges of election
7 shall make out a slip indicating the number of persons who
8 voted in the precinct at the election. The slip shall be
9 signed by all the judges of election and shall be inserted
10 by them in the first ballot box. The judges of election
11 shall thereupon immediately lock the first ballot box;
12 provided, that if the box is not of a type which may be
13 securely locked, the box shall be sealed with filament tape
14 provided for the purpose that shall be wrapped around the
15 box lengthwise and crosswise, at least twice each way, and
16 in a manner that the seal completely covers the slot in the
17 ballot box, and each of the judges shall sign the seal. Two
18 of the judges of election, of different political parties,
19 shall by the most direct route transport both ballot boxes
20 to the counting location designated by the county clerk or
21 board of election commissioners.

22 Before the ballots of a precinct are fed to the
23 electronic Precinct Tabulation Optical Scan Technology
24 tabulating equipment, the first ballot box shall be opened
25 at the central counting station by the 2 precinct transport
26 judges. Upon opening a ballot box, the team shall first
27 count the number of ballots in the box. If 2 or more are
28 folded together to appear to have been cast by the same
29 person, all of the ballots folded together shall be marked
30 and returned with the other ballots in the same condition,
31 as near as may be, in which they were found when first
32 opened, but shall not be counted. If the remaining ballots
33 are found to exceed the number of persons voting in the
34 precinct as shown by the slip signed by the judges of
35 election, the ballots shall be replaced in the box, and the
36 box closed and well shaken and again opened and one of the

1 precinct transport judges shall publicly draw out so many
2 ballots unopened as are equal to the excess.

3 The excess ballots shall be marked "Excess-Not
4 Counted" and signed by the 2 precinct transport judges and
5 shall be placed in the "After 7:00 p.m. Defective Ballots
6 Envelope". The number of excess ballots shall be noted in
7 the remarks section of the Certificate of Results. "Excess"
8 ballots shall not be counted in the total of "defective"
9 ballots.

10 The precinct transport judges shall then examine the
11 remaining ballots for write-in votes and shall count and
12 tabulate the write-in vote.

13 (2) A single ballot box, for the deposit of all votes
14 cast, shall be used. All ballots which are not to be
15 tabulated on the electronic voting system shall be counted,
16 tallied, and returned as elsewhere provided in this Code
17 for the counting and handling of paper ballots.

18 All ballots to be processed and tabulated with the
19 electronic Precinct Tabulation Optical Scan Technology
20 voting system shall be processed as follows:

21 Immediately after the closing of the polls the absentee
22 and early ballots delivered to the precinct judges of
23 election by the election official in charge of the election
24 shall be examined to determine that such ballots comply
25 with Sections 19-9, 19A-55, and 20-9 of this Code and are
26 entitled to be deposited in the ballot box; those entitled
27 to be deposited in the ballot box shall be initialed by the
28 precinct judges of election and deposited in the ballot
29 box. Those not entitled to be deposited in the ballot box
30 shall be marked "Rejected" and disposed of as provided in
31 Sections 19-9, 19A-55, and 20-9. The precinct judges of
32 election then shall open the ballot box and canvass the
33 votes polled to determine that the number of ballots agree
34 with the number of voters voting as shown by the
35 applications for ballot, or if the same do not agree the
36 judges of election shall make such ballots agree with the

1 applications for ballot in the manner provided by Section
2 17-18 of this Code. The judges of election shall then
3 examine all paper absentee and early ballots and ballot
4 envelopes which are in the ballot box to determine whether
5 the ballots and ballot envelopes bear the initials of a
6 precinct judge of election. If any ballot or ballot
7 envelope is not initialed, it shall be marked on the back
8 "Defective", initialed as to the label by all judges
9 immediately under the word "Defective", and not counted,
10 but placed in the envelope provided for that purpose
11 labeled "Defective Ballots Envelope". The judges of
12 election, consisting in each case of at least one judge of
13 election of each of the 2 major political parties, shall
14 examine the paper absentee and early ballots which were in
15 the ballot box and properly initialed to determine whether
16 the same contain write-in votes. Write-in votes, not
17 causing an overvote for an office otherwise voted for on
18 the paper absentee or early ballot, and otherwise properly
19 voted, shall be counted, tallied and recorded on the tally
20 sheet provided for the record. A write-in vote causing an
21 overvote for an office shall not be counted for that
22 office, but the precinct judges shall mark the paper
23 absentee or early ballot "Objected To" on the back and
24 write on its back the manner the ballot is counted and
25 initial the same. An overvote for one office shall
26 invalidate only the vote or count of that particular
27 office. After counting, tallying and recording the
28 write-in votes on absentee and early ballots, the judges of
29 election, consisting in each case of at least one judge of
30 election of each of the 2 major political parties, shall
31 make a true duplicate ballot of the remaining valid votes
32 on each paper absentee and early ballot which was in the
33 ballot box and properly initialed, by using the electronic
34 voting system used in the precinct and one of the marking
35 devices of the precinct to transfer the remaining valid
36 votes of the voter on the paper absentee or early ballot to

1 an official ballot of that kind used in the precinct at
2 that election. The original paper absentee or early ballot
3 shall be clearly labeled "Absentee Ballot" or "Early
4 Ballot", as the case may be, and the ballot so produced
5 "Duplicate Absentee Ballot" or "Duplicate Early Ballot",
6 as the case may be, and each shall bear the same serial
7 number which shall be placed thereon by the judges of
8 election, commencing with number 1 and continuing
9 consecutively for the ballots of that kind in that
10 precinct. The judges of election shall initial the
11 "Duplicate Absentee Ballot" and "Duplicate Early Ballot"
12 ballots and shall place them in the box for return of the
13 ballots with all other ballots to be counted at the central
14 counting location in lieu of the paper absentee and early
15 ballots. The paper absentee ballots shall be placed in an
16 envelope provided for that purpose labeled "Duplicate
17 Ballots".

18 In case of an overvote for any office, the judges of
19 election, consisting in each case of at least one judge of
20 election of each of the 2 major political parties, shall
21 make a true duplicate ballot of all votes on the ballot
22 except for the office which is overvoted, by using the
23 ballot of the precinct and one of the marking devices, or
24 equivalent ballot, of the precinct to transfer all votes of
25 the voter except for the office overvoted, to an official
26 ballot of that kind used in the precinct at that election.
27 The original ballot upon which there is an overvote shall
28 be clearly labeled "Overvoted Ballot", and each shall bear
29 the same serial number which shall be placed thereon by the
30 judges of election, beginning with number 1 and continuing
31 consecutively for the ballots of that kind in that
32 precinct. The judges of election shall initial the
33 "Duplicate Overvoted Ballot" ballots and shall place them
34 in the box for return of the ballots. The "Overvoted
35 Ballot" ballots shall be placed in the "Duplicate Ballots"
36 envelope. The ballots except any defective or overvoted

1 ballot shall be placed separately in the box for return of
2 the ballots, along with all "Duplicate Absentee Ballots",
3 "Duplicate Early Ballots", and "Duplicate Overvoted
4 Ballots". The judges of election shall examine the ballots
5 to determine if any is damaged or defective so that it
6 cannot be counted by the automatic tabulating equipment. If
7 any ballot is damaged or defective so that it cannot
8 properly be counted by the automatic tabulating equipment,
9 the judges of election, consisting in each case of at least
10 one judge of election of each of the 2 major political
11 parties, shall make a true duplicate ballot of all votes on
12 such ballot by using the ballot of the precinct and one of
13 the marking devices, or equivalent ballot, of the precinct.
14 The original ballot and ballot envelope shall be clearly
15 labeled "Damaged Ballot" and the ballot so produced
16 "Duplicate Damaged Ballot", and each shall bear the same
17 number which shall be placed thereon by the judges of
18 election, commencing with number 1 and continuing
19 consecutively for the ballots of that kind in the precinct.
20 The judges of election shall initial the "Duplicate Damaged
21 Ballot" ballot and shall place them in the box for return
22 of the ballots. The "Damaged Ballot" ballots shall be
23 placed in the "Duplicated Ballots" envelope. A slip
24 indicating the number of voters voting in person, number of
25 absentee and early votes deposited in the ballot box, and
26 the total number of voters of the precinct who voted at the
27 election shall be made out, signed by all judges of
28 election, and inserted in the box for return of the
29 ballots. The tally sheets recording the write-in votes
30 shall be placed in this box. The judges of election
31 immediately shall securely lock the ballot box or other
32 suitable box furnished for return of the ballots by the
33 election official in charge of the election; provided that
34 if the box is not of a type which may be securely locked,
35 the box shall be sealed with filament tape provided for the
36 purpose which shall be wrapped around the box lengthwise

1 and crosswise, at least twice each way. A separate adhesive
2 seal label signed by each of the judges of election of the
3 precinct shall be affixed to the box to cover any slot
4 therein and to identify the box of the precinct; and if the
5 box is sealed with filament tape as provided rather than
6 locked, such tape shall be wrapped around the box as
7 provided, but in such manner that the separate adhesive
8 seal label affixed to the box and signed by the judges may
9 not be removed without breaking the filament tape and
10 disturbing the signature of the judges. Two of the judges
11 of election, of different major political parties, shall by
12 the most direct route transport the box for return of the
13 ballots and enclosed ballots and returns to the central
14 counting location designated by the election official in
15 charge of the election. If, however, because of the lack of
16 adequate parking facilities at the central counting
17 location or for any other reason, it is impossible or
18 impracticable for the boxes from all the polling places to
19 be delivered directly to the central counting location, the
20 election official in charge of the election may designate
21 some other location to which the boxes shall be delivered
22 by the 2 precinct judges. While at the other location the
23 boxes shall be in the care and custody of one or more
24 teams, each consisting of 4 persons, 2 from each of the 2
25 major political parties, designated for such purpose by the
26 election official in charge of elections from
27 recommendations by the appropriate political party
28 organizations. As soon as possible, the boxes shall be
29 transported from the other location to the central counting
30 location by one or more teams, each consisting of 4
31 persons, 2 from each of the 2 major political parties,
32 designated for the purpose by the election official in
33 charge of elections from recommendations by the
34 appropriate political party organizations.

35 The "Defective Ballots" envelope, and "Duplicated
36 Ballots" envelope each shall be securely sealed and the

1 flap or end of each envelope signed by the precinct judges
2 of election and returned to the central counting location
3 with the box for return of the ballots, enclosed ballots
4 and returns.

5 At the central counting location, a team of tally
6 judges designated by the election official in charge of the
7 election shall check the box returned containing the
8 ballots to determine that all seals are intact, and shall
9 open the box, check the voters' slip and compare the number
10 of ballots so delivered against the total number of voters
11 of the precinct who voted, remove the ballots and deliver
12 them to the technicians operating the automatic tabulating
13 equipment. Any discrepancies between the number of ballots
14 and total number of voters shall be noted on a sheet
15 furnished for that purpose and signed by the tally judges.

16 (3) A single ballot box, for the deposit of all votes
17 cast, shall be used. Immediately after the closing of the
18 polls the judges of election shall examine the absentee and
19 early ballots received by the precinct judges of election
20 from the election authority of voters in that precinct to
21 determine that they comply with the provisions of Sections
22 19-9, 19A-55, 20-8, and 20-9 of this Code and are entitled
23 to be deposited in the ballot box; those entitled to be
24 deposited in the ballot box shall be initialed by the
25 precinct judges and deposited in the ballot box. Those not
26 entitled to be deposited in the ballot box, in accordance
27 with Sections 19-9, 19A-55, 20-8, and 20-9 of this Code
28 shall be marked "Rejected" and preserved in the manner
29 provided in this Code for the retention and preservation of
30 official ballots rejected at such election. Immediately
31 upon the completion of the absentee and early balloting,
32 the precinct judges of election shall securely lock the
33 ballot box; provided that if such box is not of a type
34 which may be securely locked, the box shall be sealed with
35 filament tape provided for the purpose which shall be
36 wrapped around the box lengthwise and crosswise, at least

1 twice each way. A separate adhesive seal label signed by
2 each of the judges of election of the precinct shall be
3 affixed to the box to cover any slot therein and to
4 identify the box of the precinct; and if the box is sealed
5 with filament tape as provided rather than locked, such
6 tape shall be wrapped around the box as provided, but in a
7 manner that the separate adhesive seal label affixed to the
8 box and signed by the judges may not be removed without
9 breaking the filament tape and disturbing the signature of
10 the judges. Two of the judges of election, of different
11 major political parties, shall by the most direct route
12 transport the box for return of the ballots and enclosed
13 absentee and early ballots and returns to the central
14 counting location designated by the election official in
15 charge of the election. If however, because of the lack of
16 adequate parking facilities at the central counting
17 location or for some other reason, it is impossible or
18 impracticable for the boxes from all the polling places to
19 be delivered directly to the central counting location, the
20 election official in charge of the election may designate
21 some other location to which the boxes shall be delivered
22 by the 2 precinct judges. While at the other location the
23 boxes shall be in the care and custody of one or more
24 teams, each consisting of 4 persons, 2 from each of the 2
25 major political parties, designated for the purpose by the
26 election official in charge of elections from
27 recommendations by the appropriate political party
28 organizations. As soon as possible, the boxes shall be
29 transported from the other location to the central counting
30 location by one or more teams, each consisting of 4
31 persons, 2 from each of the 2 major political parties,
32 designated for the purpose by the election official in
33 charge of the election from recommendations by the
34 appropriate political party organizations.

35 At the central counting location there shall be one or
36 more teams of tally judges who possess the same

1 qualifications as tally judges in election jurisdictions
2 using paper ballots. The number of the teams shall be
3 determined by the election authority. Each team shall
4 consist of 5 tally judges, 3 selected and approved by the
5 county board from a certified list furnished by the
6 chairman of the county central committee of the party with
7 the majority of members on the county board and 2 selected
8 and approved by the county board from a certified list
9 furnished by the chairman of the county central committee
10 of the party with the second largest number of members on
11 the county board. At the central counting location a team
12 of tally judges shall open the ballot box and canvass the
13 votes polled to determine that the number of ballot sheets
14 therein agree with the number of voters voting as shown by
15 the applications for ballot and for absentee and early
16 ballot; and, if the same do not agree, the tally judges
17 shall make such ballots agree with the number of
18 applications for ballot in the manner provided by Section
19 17-18 of this Code. The tally judges shall then examine all
20 ballot sheets that are in the ballot box to determine
21 whether they bear the initials of the precinct judge of
22 election. If any ballot is not initialed, it shall be
23 marked on the back "Defective", initialed as to that label
24 by all tally judges immediately under the word "Defective",
25 and not counted, but placed in the envelope provided for
26 that purpose labeled "Defective Ballots Envelope".
27 Write-in votes, not causing an overvote for an office
28 otherwise voted for on the absentee or early ballot sheet,
29 and otherwise properly voted, shall be counted, tallied,
30 and recorded by the central counting location judges on the
31 tally sheet provided for the record. A write-in vote
32 causing an overvote for an office shall not be counted for
33 that office, but the tally judges shall mark the absentee
34 or early ballot sheet "Objected To" and write the manner in
35 which the ballot is counted on its back and initial the
36 sheet. An overvote for one office shall invalidate only the

1 vote or count for that particular office.

2 At the central counting location, a team of tally
3 judges designated by the election official in charge of the
4 election shall deliver the ballot sheets to the technicians
5 operating the automatic Precinct Tabulation Optical Scan
6 Technology tabulating equipment. Any discrepancies between
7 the number of ballots and total number of voters shall be
8 noted on a sheet furnished for that purpose and signed by
9 the tally judges.

10 (b) Regardless of which procedure described in subsection
11 (a) of this Section is used, the judges of election designated
12 to transport the ballots properly signed and sealed, shall
13 ensure that the ballots are delivered to the central counting
14 station no later than 12 hours after the polls close. At the
15 central counting station, a team of tally judges designated by
16 the election official in charge of the election shall examine
17 the ballots so transported and shall not accept ballots for
18 tabulating which are not signed and sealed as provided in
19 subsection (a) of this Section until the judges transporting
20 the ballots make and sign the necessary corrections. Upon
21 acceptance of the ballots by a team of tally judges at the
22 central counting station, the election judges transporting the
23 ballots shall take a receipt signed by the election official in
24 charge of the election and stamped with the date and time of
25 acceptance. The election judges whose duty it is to transport
26 any ballots shall, in the event the ballots cannot be found
27 when needed, on proper request, produce the receipt which they
28 are to take as above provided.

29 (Source: P.A. 93-574, eff. 8-21-03.)

30 (10 ILCS 5/24B-15.1)

31 Sec. 24B-15.1. Discovery, Recounts and Election Contests.
32 Except as provided, discovery recounts and election contests
33 shall be conducted as otherwise provided for in this Code. The
34 automatic Precinct Tabulation Optical Scan Technology
35 tabulating equipment shall be tested prior to the discovery

1 recount or election contest as provided in Section 24B-9, and
2 then the official ballots shall be recounted on the automatic
3 tabulating equipment. In addition, (a) the ballots shall be
4 checked for the presence or absence of judges' initials and
5 other distinguishing marks, and (b) the ballots marked
6 "Rejected", "Defective", "Objected To", "Early Ballot", and
7 "Absentee Ballot" shall be examined to determine the propriety
8 of the labels, and (c) the "Duplicate Absentee Ballots",
9 "Duplicate Early Ballots", "Duplicate Overvoted Ballots" and
10 "Duplicate Damaged Ballots" shall be compared with their
11 respective originals to determine the correctness of the
12 duplicates.

13 Any person who has filed a petition for discovery recount
14 may request that a redundant count be conducted in those
15 precincts in which the discovery recount is being conducted.
16 The additional costs of a redundant count shall be borne by the
17 requesting party.

18 The log of the computer operator and all materials retained
19 by the election authority in relation to vote tabulation and
20 canvass shall be made available for any discovery recount or
21 election contest.

22 (Source: P.A. 89-394, eff. 1-1-97.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.29 as follows:

25 (30 ILCS 805/8.29 new)

26 Sec. 8.29. Exempt mandate. Notwithstanding Sections 6 and
27 8 of this Act, no reimbursement by the State is required for
28 the implementation of any mandate created by this amendatory
29 Act of the 93rd General Assembly.